

# ARNOLD & PORTER LLP

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Washington, DC 20004-1206



January 6, 2005

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Conf. No. 9574  
Art Unit: 1653  
Examiner: A. Mohamed

Re: U.S. Application No. 09/003,869 filed January 7, 1998  
Title: Use of Exendins for the Reduction of Food Intake  
Applicants: Nigel R.A. BEELEY *et al.*  
Atty. Docket: 18528.032

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Interview Summary;
2. Response to Office Action mailed December 7, 2004;
3. Courtesy copy of papers deposited July 30, 1999 via certificate of mailing (date-stamped as received by OIPE on August 3, 1999), including:
  - a. Copy of front and back of postcard date-stamped by OIPE on August 3, 1999,
  - b. Copy of Lyon & Lyon LLP Check No. 5875 in the amount of \$435.00 for payment of 3 month extension of time fee,
  - c. Response to Communication,
  - d. Statement under 37 C.F.R. § 1.821(f);
  - e. Copy of front of diskette containing sequence listing in electronic form, and
  - f. Copy of sequence listing in paper form (100 pages); and
4. Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

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ARNOLD & PORTER LLP

Commissioner for Patents  
Atty. Docket: 18528.032  
January 6, 2005  
Page 2

In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 18528.032. A duplicate copy of this letter is enclosed.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)  
Thomas E. Holsten (Reg. No. 46,098)

Enclosures

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

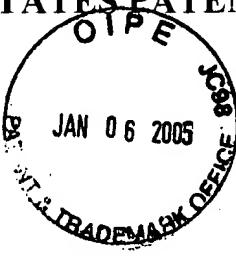
In re Patent Application of:

Nigel R.A. BEELEY *et al.*

Appln. No.: 09/003,869

Filed: January 7, 1998

For: **Use of Exendins for the Reduction  
of Food Intake**



Art Unit: 1653

Examiner: Abdel MOHAMED

Atty. Docket: 18528.032

Confirmation No.: 9574

**Interview Summary**

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Interview Summary dated January 4, 2005, Applicants respectfully submit the following summary of the substance of the interview.

In Person Interview, in Attendance:

Examiner: Abdel Mohamed

SPE: Jon Weber

Registered Attorney: David R. Marsh

Registered Attorney: Thomas E. Holsten

Telephonic Interview, in Attendance:

Registered Attorney: James Butler

1) Exhibits: None

2) Claims Discussed: None.

3) Cited Art Discussed: None

4) Amendments discussed: None

5) Summary: At the interview, Applicants' representatives appreciated the opportunity to discuss the outstanding 35 U.S.C. § 132 objections to the specification. In addition, it was discovered during the interview that the Sequence Listing mailed July 30, 1999 and received by the Office on August 3, 1999 was not present in the Office's electronic files.

6) Other Matters: None

7) General Result: It was agreed that the Applicants would provide a response to Office Communication mailed December 7, 2004 showing that the deletion of the feature description of Xaa<sub>39</sub> in SEQ ID NO: 5 does not constitute new matter. In addition, Applicants agreed to submit a courtesy copy of the Sequence Listing originally mailed July 30, 1999. together with their response to the outstanding Office Action, both of which are submitted concurrently herewith.

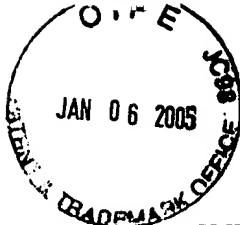
Respectfully submitted,



David R. Marsh (Reg. No. 41,408)  
Thomas E. Holsten (Reg. No. 46,098)

Date: January 6, 2005

ARNOLD & PORTER LLP  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Nigel R.A. BEELEY *et al.*

Appln. No.: 09/003,869

Filed: January 7, 1998

For: **Use of Exendins for the Reduction  
of Food Intake**

Confirmation No.: 9574

Art Unit: 1653

Examiner: Abdel MOHAMED

Atty. Docket: 18528.032

**Response to Office Action mailed December 7, 2004**

**Mail Stop Amendment**

Commissioner for Patents

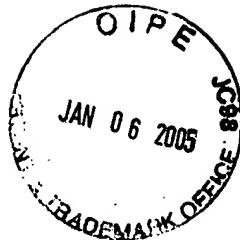
P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 7, 2004 (hereinafter "Office Action"), Applicants submit the following remarks.

**Remarks** begin on page 2 of this paper.



231/181  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: ) Group Art Unit 1654  
Nigel Robert Arnold Beeley et al. ) Examiner DAVENPORT, A.  
Serial No. 09/003,869 )  
Filed: January 7, 1998 )  
For: USE OF EXENDINS AND )  
AGONISTS THEREOF FOR THE )  
REDUCTION OF FOOD )  
INTAKE )

RESPONSE TO COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the Communication mailed March 31, 1999, enclosed is a computer  
readable form copy of the Sequence Listing, a paper copy of the Sequence Listing, a Statement

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the  
United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope  
addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

---

Sarah B. Navarro  
Name of Person Mailing Paper

---

July 30, 1999  
Date of Deposit

Sarah B. Navarro  
Signature of Person Mailing Paper

Under 37 C.F.R. § 1.821(f), and a copy of the Notice to Comply With Sequence Requirements.

Please amend the specification by entering the enclosed Sequence Listing. The Sequence Listing was generated from the specification and Figure 10, and does not constitute new matter.

Pursuant to 37 CFR §1.136, applicant hereby petitions for a three-month extension of time to take action in response to the Office Action mailed March 31, 1999. This extension of time is effective to allow timely filing of a Response up to and including July 31, 1999.

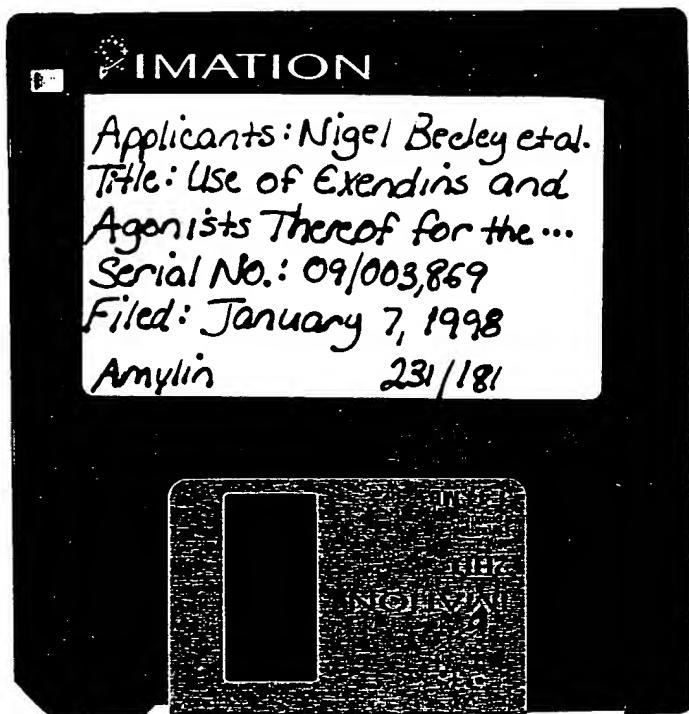
Enclosed is a check in the amount of \$435.00 for payment of the fee for the three-month extension. If the enclosed fee is incorrect, please charge or credit our Deposit Account 12-2475 for the appropriate amount.

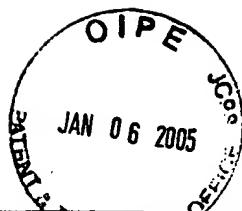
Respectfully submitted,

Dated: July 30, 1999

By   
Peter R. Munson  
Registration No. 43,821

LYON & LYON, LLP  
First Interstate World Center  
633 West Fifth Street, Suite 4700  
Los Angeles, CA 90071-2066  
(619) 552-8400





Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant(s) Nigel Robert Arnold Beeley et al.

Serial No.: 09/003,869

Filed: January 7, 1998

For: USE OF EXENDINS AND AGONISTS THEREOF  
FOR THE REDUCTION OF FOOD INTAKE

Attorney(s): PRM

Docket No.: 231/181

Date of Deposit: July 30, 1999

Enclosure(s): Response to Communication; copy of Notice to Comply to Sequence Requirements; Statement Under 37 C.F.R. § 1.821 (f); Copy of Sequence Listing in paper copy and on ASCII formatted diskette; Check No. 5875 for \$435; and return postcard

PRM:sbn Amylin

**LYON & LYON LLP**

ATTORNEYS - AT - LAW

DOCKET NO. 231/181  
SERIAL NO. 09/003,869  
APPLICANT BEELEY, ET AL.

4225 EXECUTIVE SQUARE  
SUITE 800  
LA JOLLA, CA 92037

16-49  
1220

No. 5875

EXPLANATION	AMOUNT
3 MTH EXT OF TIME	435 00

PAY ——EXACTLY FOUR HUNDRED THIRTY-FIVE DOLLARS AND NO/CENTS—

DATE JULY 30, 1999 \$ 435.00

TO THE  
ORDER  
OF

COMMISSIONER OF PATENTS AND TRADEMARKS

LYON & LYON LLP

1005875 1220004961 0320058325

WARNING: Original Document Has An Artificial Watermark On Reverse Side

**LYON & LYON LLP**  
LA JOLLA • CALIFORNIA

REMITTANCE ADVICE  
PLEASE DETACH BEFORE  
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TO COST OF 3 MTH EXT OF TIME \$435.00  
RE: BEELEY, NIGEL ET AL. / DOCKET NO. 231/181 / SERIAL NO. 09/003,869  
BJD/PRM

81700

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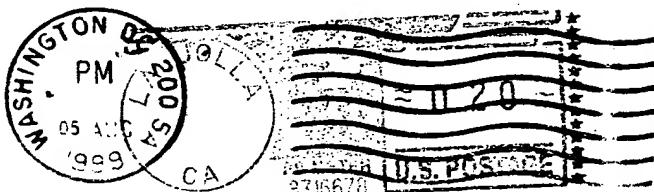
Attorney(s): PRM

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and return postcard

PRM:sbn Amylin



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